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IMPORTANT NOTICE TELECOPY/FACSIMILE COVER LETTER

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TO: U.S. Patent and Trademark Office
Examiner: Hau H. Nguyen
Art Unit: 2676

DATE: September 14, 2004

FROM: Dariusz G. Adli
Voice: (213) 337-6809, Fax: (213) 337-6701
dgadli@hhlaw.com

TIME: _____

TOTAL NO. OF PAGES, INCLUDING COVER: 5

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MESSAGE:

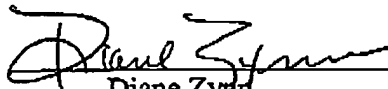
Patent Application No.: 09/669,354 Our Ref. 81751.0009

I hereby certify that the following documents:

- ☒ Request For Refund (Improper Charge of Deposit Account) (37 C.F.R. § 1.26)
- ☒ Copy of Deposit Account Statement

are being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, for filing in the above application.

September 14, 2004
Date of Deposit


Diane Zynn

TELECOPY/FAX NUMBER: 703-872-9306 ART UNIT 2676

CLIENT NUMBER: 81751.0009

ATTORNEY BILLING NUMBER: 3606

CONFIRMATION NUMBER: 703-305-4104 (return fax to Diane Zynn)

Patent Application No. 09/669,354
Attorney Docket No. 81751.0009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:
Hisanobu ISHIYAMA
Serial No: 09/669,354
Filed: September 26, 2000

Art Unit: 2676
Examiner: Hau H. Nguyen

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Commissioner for Patents
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September 14, 2004

Date of Deposit

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Name

Signature

09/14/04
Date

**REQUEST FOR REFUND (IMPROPER CHARGE
OF DEPOSIT ACCOUNT) (37 C.F.R. § 1.26)**

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. This is a request for a refund, with respect to the charge to Deposit Account 50-1314, shown on the statement dated September 13, 2004, for the above-referenced application/patent. A copy of the statement, in which the error referred to occurs, accompanies this request.

2. FEES CHARGED FOR WHICH
REFUND REQUESTED:

AMOUNT OF
REFUND REQUESTED:

- ☐ Filing Fee
- ☐ Surcharge
- ☒ Extension of time for response
- ☒ Excess claims
- ☐ Issue fee
- ☐ Petition fee
- ☐ Maintenance fee __ year
- ☐ Maintenance fee surcharge

TOTAL

\$530
43
\$573

Patent Application No. 09/669,354
Attorney Docket No. 81751.0009

3. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR:

In response to the Final Office Action dated March 18, 2004 and the Advisory Action dated August 9, 2004, a Supplemental 1.116 Amendment was filed on August 18, 2004.

On 9/9/04 the Patent Office charged our account \$950 (for a 3 month extension fee), in addition to the \$310. The correct amount is \$310 for a 2 month extension of time fee because the Amendment was filed on August 18, 2004 (2 months after the due date of June 18, 2004). We had previously paid \$110 for a one month extension of time fee on July 16, 2004 ($\$410 - \$110 = \$310$). The Patent Office credited our account \$420. $\$950 \text{ minus } \$420 = \$530$ (the Patent Office owes our account \$530 for the extension of time fee).

In addition, on 9/9/04 the Patent Office charged our account \$172 for 3 extra independent claims for a small entity ($3 \times \$43 = \172), then credited our account \$129 for 2 extra independent claims for a small entity ($2 \times \$43 = \129). The balance is \$43 for one extra independent claim. This is incorrect because on August 18, 2004, independent claims 5, 7 and 12 were cancelled. The remaining independent claims were 1, 2, 4, 16 and 18 (leaving 5 independent claims). We had previously paid for 9 independent claims on January 12, 2004. As a result, there were no additional independent claims with this amendment.

4. MANNER OF REFUND:

Please make refund by crediting Deposit Account number 50-1314.

Respectfully submitted,

HOGAN & HARTSON LLP.

Date: September 14, 2004

By:



Dariush G. Adli

Registration No. 51,386

Attorney for Applicant(s)

500 South Grand Avenue, Suite 1900
Los Angeles, California 90071
Phone: 213-337-6700
Fax: 213-337-6701



United States Patent and Trademark Office

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Deposit Account Statement

Requested Statement Month:

September 2004

Deposit Account Number:

501314

Name:

HOGAN & HARTSON, L.L.P.

Attention:

WILLIAM WRIGHT

Address:

BILTMORE TOWER

City:

LOS ANGELES

State:

CA

Zip:

90071

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/01	1	10179458	83399.0002	1253	\$950.00	\$48,436.00
09/01	52	09865300	259/008	1460	\$130.00	\$48,306.00
09/01	86	10927266	81707.0195	8021	\$40.00	\$48,266.00
09/01	90	10928968	81754.0133	1001	\$770.00	\$47,496.00
09/02	10	10930591	81790.0320	1001	\$770.00	\$46,726.00
09/02	88	10145577	81868.0052	8007	\$20.00	\$46,706.00
09/02	89	10145577	81868.0052	8010	\$25.00	\$46,681.00
09/02	90	10145577	81868.0052	8008	\$200.00	\$46,481.00
09/02	151	PCT/US04/28039	89188.0058	1601	\$300.00	\$46,181.00
09/02	152	PCT/US04/28039	89188.0058	1603	\$300.00	\$45,881.00
09/02	153	PCT/US04/28039	89188.0058	1702	\$1,134.00	\$44,747.00
09/02	164	PCT/US04/28039	89188.0058	1703	\$228.00	\$44,519.00
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09/03	50	10927249	81887.0109	8021	\$40.00	\$44,439.00
09/03	268	10632522	83377.0008	8007	\$20.00	\$44,419.00
09/03	269	10632522	83377.0008	8023	\$120.00	\$44,299.00
09/07	22	10933012	81872.0071	1001	\$770.00	\$43,529.00
09/07	79	10932643	81876.0075	1001	\$770.00	\$42,759.00
09/08	29	09730695	000026021	1251	\$110.00	\$42,649.00
09/08	34	10271473	81846.0033	1201	\$172.00	\$42,477.00
09/08	36	09733230	81800.010143	1201	\$86.00	\$42,391.00
09/08	85	09604301	81784.0210	1801	\$770.00	\$41,621.00
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09/08	104	10191334	48151/PAN/L4	1801	\$770.00	\$40,011.00
09/08	105	10191334	48151/PAN/L4	1251	\$110.00	\$39,901.00
09/08	180	09792461	1999-118	1201	\$258.00	\$39,643.00
09/08	380	10302160	81839.0119	1501	\$1,330.00	\$38,313.00
09/08	381	10302160	81839.0119	1504	\$300.00	\$38,013.00

